REMARKS

Claims 1-28 have been examined. New claims 29-36 have been added to further describe patentable aspects of the invention which are not taught or suggested by the current art of record.

The Advisory Action mailed July 19, 2007 indicates that the Amendment filed July 2, 2007 was not entered because the Examiner asserts that the cooling pulse Tc of Miyamoto is still a part of the pulse used for the writing process. The Examiner notes that although Tc is not actively writing to the medium, it is still necessary for the process to take place. Thus, the Examiner maintains the rejections by asserting that Tc is still a part of the write data signal.

I. Rejection under 35 U.S.C. § 102(a) over U.S.P. 6,529,467 to Miyamoto et al. ("Miyamoto")

Claims 9-11, 21, 25 and 28 have been rejected under 35 U.S.C. § 102 as being anticipated by Miyamoto. Applicant traverses this rejection

A. Claim 9

Claim 9 recites, *inter alia*, "Tlmax denotes an output interval of a last write data signal among write data signals corresponding to a write permission signal immediately preceding a pause interval of the write signal in a case in which the pause interval of the write signal is a maximum, [and] Tlmin denotes an output interval of the last write data signal among the write data signals corresponding to a write permission signal immediately preceding the pause interval of the write signal in a case in which the pause interval of the write signal is a minimum,... wherein Tlmax and Tlmin actively write information to the recording medium by forming a recording pit thereon." Therefore, the output intervals Tlmax and Tlmin, which actively write information to the recording medium by forming a recording pit thereon, are adjusted as

information writing pulses according to the length of the pause interval of the write permission signal. The Examiner appears to concede that the cooling pulse Tc of Miyamoto does not actively write information to the recording medium. Thus, Miyamoto fails to disclose all the features of claim 9 and Applicant submits that claim 9 is patentable for at least the reasons presented above.

B. Claims 10-11

Since claims 10 and 11 depend upon claim 9, Applicant submits that claims 10 and 11 are patentable at least by virtue of their dependency.

C. Claim 21

Claim 21 has been rejected by the Examiner for similar reasons to those given for claim 9. However, for analogous reasons as set forth above for claim 9, claim 21 should also be deemed allowable.

D. Claim 25

Since claim 25 depends upon claim 9, Applicant submits that claim 25 is patentable at least by virtue of its dependency.

E. Claim 28

Since claim 28 depends upon claim 21, Applicant submits that claim 28 is patentable at least by virtue of its dependency.

II. Rejections under 35 U.S.C. § 103(a)

Claims 1-6, 17-18, 20, 23-24 and 26-27 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Miyamoto in view of Sasaki et al ("Sasaki"), U.S. Publication

2004/0008601. Sasaki, however, fails to correct the deficiencies of Miyamoto presented above in conjunction with claim 9. Therefore, since independent claims 1 and 18 contain features which are similar to the features of claim 9, claims 1 and 18 should be patentable for analogous reasons set forth above in conjunction with claim 9. That is, Miyamoto does not teach or suggest that the cooling pulse Tc actively writes information to the recording medium. Thus, Miyamoto fails to teach or suggest the output intervals Tfmax and Tfmin, which actively write information to the recording medium.

The remaining claims should be patentable at least by virtue of their dependencies.

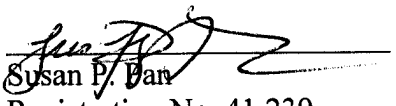
In addition, claims 7, 8, 12-16, 19 and 22 have also been rejected under 35 U.S.C. § 103(a). Applicant submits, however, that additional references of Spruit and Nobukuni in combination with Miyamoto and Sasaki do not make up for the deficiencies of the primary reference or primary combination. Therefore, claims 7, 8, 12-16, 19 and 22 should also be patentable at least by virtue of their dependencies.

III. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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